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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,899	03/30/2004	Ishwara A. Bhat	H0005369	2898

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EXAMINER

GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,899

Applicant(s)

BHAT, ISHWARA

Examiner

Davetta W. Goins

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 is/are allowed.
- 6) ☒ Claim(s) 13-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-12 are allowed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 13-17, 19-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (US Pat. 6,232,888 B1).

In reference to claims 13-25, Morris discloses the claimed voice point module including a network interface having an address such that the voice point module is addressable by the address; an audio block receiving a voice data; and a control block receiving a control data and causing the voice data to be processed according to the control data, which is met by a vehicle including a radio receiver 9 receives the traffic voice pages, the message decoder 21 decodes data/network codes and pager addresses associated with the traffic voice pages. An address selector 20 selects traffic voice pages that have pager addresses identified by the route entry system 12, forwarding the selected traffic voice pages to the conversion unit 17. The conversion unit 17 decodes the selected traffic voice pages into a decoded traffic voice page, stores the decoded traffic voice page in message memory 28, preferably in a compressed form, and notifies the user of the presence of a stored decoded traffic voice page using a page alert 29. An audio

Art Unit: 2632

system 16 coupled to the conversion unit 17 retrieves a stored decoded traffic voice page from the message memory 28, decompresses the message if applicable and audibly presents the audio information 26 to the commuter. The traffic paging system 10 may further include a transmit encoder system 28, as shown in FIG. 2. This system 28 receives traffic incident messages 36 and, after appropriate coding, transmits the traffic voice pages. The system 28 includes a receiver 30, a decoder 32, and a transmitter 34. Alternatively, an operator of a traffic paging service may generate its own traffic information by, for example, chartering one or more helicopters or airplanes to fly over preselected areas and to provide information regarding the preselected areas. The traffic incident messages 36 may include information such as a weather or traffic condition, including potential or actual traffic problems. The traffic incident messages 36 preferably include a description of a type, a location, duration, extent, direction of flow effected and/or a severity of the weather or traffic condition (col. 3, lines 6-67; col. 4, lines 1-55).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Kennedy, III et al. (US Pat. 6,167,255).

Art Unit: 2632

In reference to claim 18, although Davis does not specifically disclose the claimed control data specifying that a telephone call be setup with a phone provided with the voice point module, he does disclose a traffic voice pager comprising a receiver 30 may receive one or more traffic incident messages 36 from, for example, an external source, such as a commercial traffic information provider, a news broadcast, or a report over an emergency service radio frequency (col. 4, lines 1-26). Kennedy discloses a system including a modem 44 supports simultaneous voice and data communications over voice network 18 and/or global computer network 98 (col. 6, lines 12-17). Voice access parameters 420 may comprise telephone numbers, telephone extensions, trunk/line identifiers, or any other address or identifier supported by voice network 18. Data access parameters 422 may include LAN or WAN addresses, uniform resource locator (URL) addresses, telephone numbers, transport control protocol or Internet protocol (TCP/IP) addresses, channel groups and channels, virtual port identifiers (VPIs), virtual channel identifiers (VCIs), or any other address or identifier supported by data network 20 (col. 25, lines 42-56). Since both Davis and Kennedy disclose voice data network systems that are capable of transmitting stored voice data to a remote receiving unit, such as a speaker, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of including control data that specifies that a telephone call be setup, as disclosed by Kennedy, to provide an alternative means for ensuring that the user will receive the pre-stored voice messages upon an alarm condition.

5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2632

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Davetta W. Goins
Primary Examiner
Art Unit 2632



D.W.G.

March 20, 2006